

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

11 NEW MOTION, INC. (d/b/a ATRINSIC  
12 MEDIA), a Delaware corporation,

CASE NO. 09cv99 WQH (BLM)  
ORDER

12 Plaintiff,

13 vs.

14 SMS.AC, INC. (d/b/a FanBox), a California  
15 Corporation, BRANDIE SMITH, an  
individual, MICHAEL POUSTI, an  
individual, and DOES 1 through 50,  
inclusive,

16 Defendant.

17 HAYES, Judge:

18 The Stipulation for Dismissal with Prejudice and Request for the Court to Retain Jurisdiction  
19 for Purposes for Settlement (Doc. # 23) is **GRANTED**. The above-captioned action is **DISMISSED**  
20 **with prejudice** subject to the terms of the Stipulation for Dismissal with Prejudice.

21 DATED: July 24, 2009

  
22 WILLIAM Q. HAYES  
23 United States District Judge